

Inventor: Tye, David
Serial No.: 10/678,901
Atty Dkt. No.: 021878.0005US1

Art Unit: 3654
Examiner: Esther O. Okezie

Remarks/Arguments

35 U.S.C. § 102

Claims 1, 2, 7, and 8 were rejected as being anticipated by Erickson (U.S. Patent No. 1439302). The applicant disagrees with this rejection, however, has amended claim 1 to include additional limitations. The amendment to claim 1 thus moots the rejection of claim 2, 7, and 8.

Claim 1 now requires a support frame, a second set of biased gripping member and stationary gripping member, and an opening formed between the two members.

Claims 9-11 were rejected as being anticipated by Schroder (U.S. Patent No. 1783939). These rejections are also mooted in light of the claim amendments to independent claim 9.

Claim 9 now requires providing a device having an opening formed between a biased gripping member and a stationary gripping member, for receiving the neck of the bottle.

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Conclusion

Claims 1, 2, 7-11 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,

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